

**ONE HUNDRED AND EIGHTEENTH LEGISLATIVE DAY
SATURDAY, MAY 3, 2003**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Forrest Ludwig, Journal Clerk.

Approval of Journal

May 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Seventeenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

May 2, 2003

Mr. Speaker:

I transmit herewith **S 1196, S 1197, and S 1198** which have passed the Senate.

WOOD, Secretary

S 1196, S 1197, and S 1198 were filed for first reading.

May 2, 2003

Mr. Speaker:

I return herewith **H 458, H 451, H 463, H 456, and H 464** which have passed the Senate.

WOOD, Secretary

H 458, H 451, H 463, H 456, and H 464 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

May 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 33, H 467, H 468, H 469, H 470, H 471, and H 472**.

FIELD(18), Chairman

HCR 33, H 467, H 468, H 469, H 470, H 471, and H 472 were filed for second reading.

May 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 458, H 451, H 463, H 456, and H 464**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 458, H 451, H 463, H 456, and H 464**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

S 1196, S 1197, and S 1198, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 390 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 390** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Douglas, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Moyle, Nielsen, Raybould, Ring, Roberts, Robison, Rydalch, Schaefer, Shepherd, Skippen, Smith(24), Stevenson, Tilman, Wills, Mr. Speaker. Total -- 46.

NAYS -- Bieter, Black, Boe, Cuddy, Eberle, Edmunson, Jones, Langhorst, Meyer, Miller, Naccarato, Ringo, Sali, Saylor, Shirley, Smith(30), Smylie, Snodgrass, Trail. Total -- 19.

Absent and excused -- Clark, Denney, Mitchell, Ridinger, Wood. Total -- 5.

Paired Vote:

AYE -- Martinez(Echohawk). NAY -- Black.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 390** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

H 452 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 452** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bieter, Bradford, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 452** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1171 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1171** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bradford, Clark, Denney, Field(23), Langford, Martinez(Echohawk), Mitchell. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1171** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 116 was read the third time at length and placed before

the House for final consideration.

At this time, Mr. Tilman took the Chair.

At this time, the Speaker Pro Tem recognized Ms. Jaquet and Mr. Speaker to open debate.

Mrs. Barrett asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **SCR 116**. There being no objection, it was so ordered.

The question being, "Shall **SCR 116** be adopted?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez(Echohawk), Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Barraclough(Schanz), Barrett, Crow, Eberle, Kulczyk, Lake, Langford, McGeachin, McKague, Roberts, Rydalch, Sali, Schaefer, Wood. Total -- 14.

Absent and excused -- Clark, Denney. Total -- 2.

Paired Votes:

AYE -- Martinez(Echohawk). NAY -- Wood.

AYE -- Mitchell. NAY -- Lake.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 116** adopted and ordered the resolution returned to the Senate.

S 1148, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner and Mr. Cannon to open debate.

The question being, "Shall **S 1148**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Henbest, Lake, Langhorst, McGeachin, Meyer, Miller, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bell, Deal, Eskridge, Harwood, Jones, Kulczyk, Langford, McKague, Moyle, Smith(24), Stevenson. Total -- 12.

Absent and excused -- Clark, Denney, Jaquet, Kellogg,

Martinez(Echohawk), Mitchell. Total -- 6.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1148**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

At this time, the Speaker took the Chair.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 33** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 33** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 33** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **HCR 33** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle,

Naccarato, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 49.

NAYS -- Andersen(Guyon), Bieter, Boe, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Langhorst, Martinez(Echohawk), Ridinger, Ringo, Robison, Sayler, Shepherd, Shirley, Smith(30), Trail. Total -- 18.

Absent and excused -- Clark, Denney, Mitchell. Total -- 3.

Paired Vote:

AYE -- Campbell. NAY -- Martinez(Echohawk).

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **HCR 33** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 467** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 467** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 467** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 467** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford,

Cannon, Collins, Crow, Deal, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langford, Langhorst, McKague, Meyer, Miller, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Shepherd, Skippen, Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Campbell, Edmunson, Kulczyk, Lake, McGeachin, Moyle, Sayler, Schaefer, Shirley, Smith(30), Snodgrass, Wood. Total -- 12.

Absent and excused -- Clark, Cuddy, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 467** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 468** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 468** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 468** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 468** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Clark, Cuddy, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 468** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 469** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 469** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 469** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 469** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, McGeachin, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Clark, Denney, Eberle, Martinez(Echohawk), McKague, Mitchell. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 469** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 470** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 470** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 470** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 470** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Bauer, Bedke, Bell, Bieter, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Meyer, Miller, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 56.

NAYS -- Barraclough(Schanz), Boe, Kulczyk, Martinez(Echohawk), McGeachin, McKague, Mitchell, Moyle, Sali, Schaefer, Wood. Total -- 11.

Absent and excused -- Barrett, Clark, Denney. Total -- 3.

Paired Votes:

AYE -- Field(18). NAY -- Martinez(Echohawk).

AYE -- Black. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 470** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 471** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 471** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 471** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final

consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 471** pass?"

Roll call resulted as follows:

AYES -- Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Langford, Meyer, Miller, Naccarato, Nielsen, Ring, Rydalch, Shepherd, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 38.

NAYS -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bieter, Boe, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Kulczyk, Lake, Langhorst, Martinez(Echohawk), McGeachin, McKague, Mitchell, Moyle, Raybould, Ridinger, Ringo, Roberts, Robison, Sali, Saylor, Schaefer, Shirley, Smith(30), Trail, Wood. Total -- 30.

Absent and excused -- Clark, Denney. Total -- 2.

Paired Votes:

AYE -- Field(18). NAY -- Martinez(Echohawk).

AYE -- Black. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 471** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 472** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 472** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 472** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 472** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Lake, Langford, McGeachin, McKague, Meyer, Miller, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Shirley, Skippen, Smith(24), Smylie, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 45.

NAYS -- Andersen(Guyon), Bieter, Boe, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Kulczyk, Langhorst, Martinez(Echohawk), Mitchell, Moyle, Naccarato, Ridinger, Ringo, Robison, Saylor, Schaefer, Shepherd, Smith(30), Snodgrass, Trail. Total -- 23.

Absent and excused -- Clark, Denney. Total -- 2.

Paired Votes:

AYE -- Field(18). NAY -- Martinez(Echohawk).

AYE -- Black. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 472** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

May 3, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1148**, as amended, **S 1171**, and **SCR 116** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1148**, as amended, **S 1171**, and **SCR 116** and, when so signed, ordered them returned to the Senate.

May 3, 2003

Mr. Speaker:

I transmit herewith **SCR 117**, **S 1202**, **S 1203**, **S 1204**, **S 1205**, and **S 1206** which have passed the Senate.

WOOD, Secretary

SCR 117, **S 1202**, **S 1203**, **S 1204**, **S 1205**, and **S 1206** were

filed for first reading.

May 3, 2003

Mr. Speaker:

I return herewith **HCR 30**, **H 397**, and **H 396** which have passed the Senate.

WOOD, Secretary

HCR 30, **H 397**, and **H 396** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

May 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 30**, **H 397**, and **H 396**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 30**, **H 397**, and **H 396**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 117, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1202, **S 1203**, **S 1204**, **S 1205**, and **S 1206**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1196** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1196** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas,

Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1196** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1196** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Lake, Langford, McGeachin, McKague, Meyer, Moyle, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Skippen, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 40.

NAYS -- Andersen(Guyon), Bieter, Boe, Cuddy, Douglas, Eberle, Edmunson, Henbest, Jaquet, Jones, Kulczyk, Langhorst, Martinez(Echohawk), Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail. Total -- 28.

Absent and excused -- Clark, Denney. Total -- 2.

Paired Votes:

AYE -- Bolz. NAY -- Snodgrass.

AYE -- Black. NAY -- Mitchell.

AYE -- Field(18). NAY -- Martinez(Echohawk).

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1196** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1197** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1197** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1197** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1197** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Collins, Crow, Deal, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Ring, Roberts, Rydallch, Sali, Schaefer, Skippen, Smith(24), Stevenson, Tilman, Wood, Mr. Speaker. Total -- 39.

NAYS -- Andersen(Guyon), Bieter, Boe, Campbell, Cannon, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Jones, Kulczyk, Langhorst, Martinez(Echohawk), Meyer, Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Trail, Wills. Total -- 29.

Absent and excused -- Clark, Denney. Total -- 2.

Paired Votes:

AYE -- Bolz. NAY -- Snodgrass.

AYE -- Black. NAY -- Mitchell.

AYE -- Field(18). NAY -- Martinez(Echohawk).

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1197** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1198** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1198** be

read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1198** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1198** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Moyle, Naccarato, Nielsen, Raybould, Ring, Roberts, Robison, Rydallch, Sali, Schaefer, Skippen, Smith(24), Smylie, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 50.

NAYS -- Andersen(Guyon), Bieter, Boe, Cuddy, Douglas, Edmunson, Jones, Miller, Ridinger, Ringo, Sayler, Shepherd, Shirley, Smith(30), Snodgrass, Trail. Total -- 16.

Absent and excused -- Clark, Denney, Martinez(Echohawk), Mitchell. Total -- 4.

Paired Vote:

AYE -- Bolz. NAY -- Snodgrass.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1198** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **SCR 117** be suspended; that the

portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 117** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 117** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **SCR 117** be adopted?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Bolz, Clark, Denney, Martinez(Echohawk), Mitchell, Snodgrass. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **SCR 117** adopted and ordered the resolution returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1202** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State

of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1202** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1202** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

Mrs. Garrett asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1202**. There being no objection, it was so ordered.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1202**. There being no objection, it was so ordered.

The question being, "Shall **S 1202** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Bauer, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Cannon, Collins, Crow, Cuddy, Deal, Ellsworth, Eskridge, Field(18), Field(23), Harwood, Henbest, Jaquet, Kellogg, Langhorst, Martinez(Echohawk), Meyer, Miller, Mitchell, Naccarato, Raybould, Robison, Shepherd, Shirley, Smith(30), Stevenson, Tilman, Wills, Mr. Speaker. Total -- 37.

NAYS -- Barraclough(Schanz), Barrett, Block, Campbell, Douglas, Eberle, Edmunson, Gagner, Garrett, Jones, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Skippen, Smith(24), Smylie, Trail, Wood. Total -- 30.

Absent and excused -- Clark, Denney, Snodgrass. Total -- 3.

Paired Votes:

AYE -- Martinez(Echohawk). NAY -- Langford.
 AYE -- Mitchell. NAY -- Rydalg.
 (Pairs enumerated in roll call above.)
 Total -- 70.

Whereupon the Speaker declared **S 1202** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1203** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1203** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalg, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.
 Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1203** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1203** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ring, Ringo, Roberts, Robison, Rydalg, Sali, Sayler, Shepherd, Shirley, Smith(30), Smylie, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Edmunson, Kulczyk, Ridinger, Schaefer,

Wood. Total -- 6.

Absent and excused -- Clark, Denney, Eberle, Martinez(Echohawk), Mitchell, Skippen, Smith(24), Snodgrass, Trail. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1203** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1204** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1204** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalg, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.
 Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1204** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

Mr. Sali moved that **S 1204** be placed on General Orders for consideration. Seconded by Mr. Kulczyk.

Mr. Sali asked unanimous consent that the motion to place **S 1204** on General Orders be withdrawn. There being no objection, it was so ordered.

The question being, "Shall **S 1204** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins,

Crow, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langhorst, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ring, Ringo, Roberts, Robison, Sayler, Shepherd, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 50.

NAYS -- Barraclough(Schanz), Barrett, Eberle, Kulczyk, Langford, McGeachin, McKague, Nielsen, Raybould, Rydalch, Sali, Schaefer, Shirley, Wood. Total -- 14.

Absent and excused -- Clark, Denney, Martinez(Echohawk), Moyle, Snodgrass, Trail. Total -- 6.

Paired Vote:

AYE -- Mitchell. NAY -- Rydalch.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1204** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1205** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1205** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1205** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1205** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Douglas, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Meyer, Miller, Naccarato, Nielsen, Ring, Ringo, Robison, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 47.

NAYS -- Barraclough(Schanz), Barrett, Bauer, Cuddy, Eberle, Edmunson, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Raybould, Ridinger, Roberts, Rydalch, Schaefer, Wood. Total -- 18.

Absent and excused -- Clark, Denney, Martinez(Echohawk), Mitchell, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1205** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1206** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1206** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bolz, Clark, Denney, Field(23), Martinez(Echohawk), Mitchell, Snodgrass, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1206** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1206** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langhorst, McGeachin, McKague, Meyer, Miller, Naccarato, Nielsen, Ring, Ringo, Roberts, Robison, Rydall, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Edmunson, Lake, Langford, Moyle, Raybould, Ridinger. Total -- 6.

Absent and excused -- Barrett, Clark, Denney, Martinez(Echohawk), Mitchell, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1206** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

SJM 104 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **SJM 104** be adopted?"

Whereupon the Speaker declared **SJM 104** failed to be adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Deal, Tilman, and Jaquet to notify the Governor and Representatives Smith, Langford, and Robison to notify the Senate.

The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that it had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the

Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House of Representatives of the First Regular Session of the Fifty-seventh Legislature of the State of Idaho adjourn Sine Die. Seconded by Mrs. Boe.

Whereupon the Speaker declared the motion carried and the House of Representatives of the First Regular Session of the Fifty-seventh Legislature of the State of Idaho adjourned Sine Die at 5:35 p.m., May 3, 2003.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

Enrolled **H 264**, as amended in the Senate, as amended in the Senate, was delivered to the Governor at 11:50 a.m., May 5, 2003.

Enrolled **H 458, H 451, H 463, H 456, H 464, H 397, and H 396**, were received from the Senate signed by the President, and delivered to the Governor at 11:50 a.m., May 5, 2003.

Enrolled **HCR 30**, was received from the Senate signed by the President, and delivered to the Secretary of State at 11:37 a.m., May 5, 2003.

HCR 33 was returned from the Senate failed and filed in the Office of the Chief Clerk.

H 467, H 468, H 469, H 470, H 471, H 472, H 390, and H 452 were returned from the Senate passed, enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 11:30 a.m., May 5, 2003.

Enrolled **S 1196, S 1197, S 1198, SCR 117, S 1202, S 1203, S 1204, S 1205, and S 1206** were received from the Senate, signed by the Speaker, and returned to the Senate.

OFFICE OF THE GOVERNOR

Boise

May 3, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 403, as amended

/s/

Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 5, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 451, H 453, H 457, H 459, and H 460

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 6, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 396

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 7, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 390, H 458, and H 464

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 8, 2003

The Honorable Bruce Newcomb

Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 415, as amended in the Senate, as amended in the Senate, **H 461, H 264**, as amended in the Senate, as amended in the Senate, **H 428, H 454, H 469, H 470, H 471, and H 472**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 9, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 456, H 463, and H 467

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 12, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 383, as amended in the Senate, and **H 468**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 12, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 462

I. Introduction

House Bill **462** provides personnel roll-up costs for agencies whose budgets were set prior to March 4, 2003. In Section 1, lines 12-16, it states that,

"...should actual health insurance premium increases exceed those for which funding is provided, it is legislative intent that the funding provided through the employee group insurance fund for the Employee Assistance Program be applied to pay premium costs for group medical and dental insurance coverage."

While understanding that the intent of this language is to lessen the potential impact of increased health insurance premiums for state employees, it also has the unintended consequence of significantly reducing an effective, prevention oriented health care benefit for all state employees.

II. Discussion

The Employee Assistance Program (EAP) is a benefit provided to state employees and qualified family members. The EAP is a resource and referral service that offers an opportunity for individuals to meet with professional counselors who will help them understand the issues impacting their lives, the lives of their families and their performance at work. Annually, 5,200 people utilize the EAP program.

Currently, this service is provided to state employees through a contractor, IBPA, separate and apart from Blue Shield of Idaho. It is important to note that there is no duplication of service between IBPA and Blue Shield.

It is well documented that costs for preventative services are far exceeded by acute care costs in the delivery of health care. The state's EAP is a first line of prevention for many employees suffering from mental health problems, substance abuse or the stress associated with a dysfunctional home life. Addressing the health care needs of state employees before they reach a crisis helps to control acute care costs, such as hospitalization, prevents absenteeism and improves the overall quality of life for our employees and their families.

This fall, the Department of Administration will be going to the insurance market to bid the employee health benefits for the coming fiscal year. It would be logical at that time to consider the merits of the EAP within the context of the entire health benefit for state employees. To make major changes to the EAP prior to a program wide assessment would jeopardize the preventative programs currently in place.

III. Conclusion

While I strongly support the legislature's funding of personnel roll-up costs for all state agencies, I am unwilling to dismantle a program that acts as a front line in the prevention of acute mental health and substance abuse problems for state employees and qualified family members. Therefore, I am directing the Department of Administration to maintain its current level of benefits to state employees and other qualified individuals for the Employee Assistance Program in fiscal year 2004.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 12, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 397

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 11:05 a.m., on May 5, 2003.

I. Introduction

House Bill **397** would prohibit the issuance of future bonds, after June 30, 2003, to be repaid from the Permanent Building Fund. This measure undermines an existing process that requires both executive and legislative approval. I cannot support this measure that limits the State's ability to respond to critical needs in an effective and flexible manner.

II. Discussion

The current mechanism to approve or disapprove bond indebtedness by the State Building Authority is well established. Current code and the existing budget process does not allow for automatic bonding from any source. In most cases, the process starts with the Division of Financial Management and must then be approved by the Governor and then affirmed by the Legislature.

House Bill **397** eliminates a potential funding source for future capital investments and improvements that would result in cost savings and efficiencies for state agencies. As the State of Idaho continues to grow and as General Fund revenues become increasingly scarce, the Permanent Building Fund provides a stable funding mechanism to meet the existing and future facility needs of the State of Idaho.

Without the option of bonding for statewide needs from the Permanent Building Fund, there will be increased pressure on

declining General Fund revenues as individual agencies look to bond for their specific needs. Efficiencies in scale will also be lost as individual agencies pursue bonding from a variety of sources.

In these times of fiscal constraint, it is critical that we maintain maximum flexibility to address facility needs while finding increased efficiencies and streamlined operations. The bonding process is not automatic. The process has both executive and legislative checks and balances already in place.

For these reasons, I have vetoed House Bill **397**.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

May 15, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 452

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

CERTIFICATE

WE, BRUCE NEWCOMB, Speaker of the House of Representatives, and PAMM JUKER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the First Regular Session of the Fifty-seventh Legislature all of the proceedings of the One Hundred and Eighteenth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 16th day of May, 2003.

BRUCE NEWCOMB, Speaker

Attest:

PAMM JUKER, Chief Clerk